



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 6265-98

28 May 1999

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 May 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you reenlisted in the Navy on 9 November 1971 after about nine years of active service, and served until you were honorably discharged on 8 September 1977. During this enlistment you received nonjudicial punishment on four occasions resulting in a reduction in grade from E-5 to E-3. Additionally, you were forced to change your rate from PC to SK. You were advanced to SK3 (E-4) on 16 June 1977. Also during this enlistment, you completed an alcohol rehabilitation program.

Despite this record you were allowed to reenlist on 9 September 1977. On 16 November 1978 you were advanced to SK2 (E-5). You reported aboard the USS CLIFTON SPRAGUE (FFG 16) on 23 November 1980. A counseling entry of 29 May 1981 states, in part, as follows:

... his inattention to detail in his daily work habits, improper posting procedures, and failure to complete assigned tasks. ... was counseled on the problems of alcohol abuse. He acknowledged the fact that the day after nights of heavy drinking his performance is

totally unacceptable and that some of his professional and personal problems occur during this time. ... has a serious problems in lack of aggressive leadership ...

(He) is scheduled to be frocked to SK1 on 2 June 1981.

I informed (him) that his professional and military performance would be closely monitored during the next few months and that a significant improvement was required in order for him to be officially advanced for pay purposes to SK1. (He) acknowledged his shortcomings and stated he would improve in all areas.

On 11 September 1981 you were again counseled concerning your abuse of alcohol. The performance evaluation for the period 19 September 1980 to 8 October 1981 is adverse and you were not recommended for advancement or retention in the Navy. Thirteen days later your recommendation for advancement was formally withdrawn because of a lack of professional and military skills and alcohol abuse. The next performance evaluation for the period ending 31 December 1981 is also adverse.

On 10 February 1982 the Bureau of Naval Personnel denied your request to have the advancement recommendation reinstated. On 31 May 1982 you transferred to the Fleet Reserve in the rate of SK2.

There is no evidence in the record, and you have submitted none, to support your contention that the command's decision not to advance you to SK1 was improper. The Board noted your poor record in your prior enlistment and believed that you were fortunate to have been allowed to reenlist. The Board believed that the counseling entries and the adverse performance evaluations in your last enlistment were sufficient to support the withdrawal of the recommendation for advancement. Therefore, the Board concluded that you were properly retired in the rate of SK2.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval

record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director